

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 08 CR 276
vs.)	
)	Judge Blanche M. Manning
WILLIAM COZZI)	

**AGREED MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE BRIEF**

The United States of America, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, with the agreement of counsel for defendant, respectfully moves this Court to grant the government up to and including August 22, 2008, to respond to defendant's pretrial motions. In support of its motion, the government states as follows:

1. Defendant has filed pretrial motions seeking: (a) a taint hearing related to compelled statements that he made; (b) a vindictive prosecution hearing; (c) discovery related to the requested taint hearing; and (d) dismissal of the indictment.

2. The government's response to the pretrial motions is currently due on August 15, 2008. Defendant's reply brief is currently due on August 29, 2008.

3. With the agreement of defense counsel, the government seeks an extension up to and including August 22, 2008, to file its responses to those motions. Defendant would file his reply on or before September 5, 2008.

4. Defendant's motions raise complex legal issues that the government is currently researching. The government seeks additional time to continue researching the issues raised in the motions and prepare a proper response.

5. Additionally, as part of the government's response, the government anticipates that it will outline the process it followed to shield the individuals working on the matter from defendant's compelled statements. One part of that process was to have an AUSA not assigned to the matter perform a *Garrity* review. The government intends to submit a declaration of the *Garrity* reviewer along with its response brief. The *Garrity* reviewer is currently on leave and has not completed his declaration. The *Garrity* reviewer is expected to return to the office on August 18, 2008.

6. The government has spoken with William Sullivan, one of the attorneys representing defendant. Mr. Sullivan has agreed to this motion on behalf of his client.

7. Defendant is not in custody.

WHEREFORE, the United States of America respectfully requests that this Court enter an order granting the government up to and including August 22, 2008, to file its response to defendant's pretrial motions.

Dated: August 14, 2008

Respectfully submitted,
PATRICK J. FITZGERALD
United States Attorney

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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that the following document:

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was served on August 14, 2008, in accordance with FED. R. CRIM. P. 49, FED. R. CIV. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

Scott R. Drury/s

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